

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JENNIFER HOUGH,	*	Case No. 21-CV-04568 (ENV)
	*	
	*	
Plaintiff,	*	Brooklyn, New York
	*	May 12, 2022
v.	*	
	*	
ONIKA TANYA MARAJ, et al.,	*	
	*	
Defendants.	*	
	*	
* * * * *		

TRANSCRIPT OF CIVIL CAUSE FOR STATUS CONFERENCE
BEFORE THE HONORABLE JAMES R. CHO
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

For the Plaintiff:	TYRONE ANTHONY BLACKBURN, ESQ. T. A. Blackburn Law, PLLC 1242 East 80th Street Ste 3rd Floor Brooklyn, NY 11236
For the Defendant, Onika Tanya Maraj:	JUDD BURSTEIN, ESQ. Judd Burstein, PC 260 Madison Avenue 15th Floor New York, NY 10016
For the Defendant, Kenneth Petty:	STEVEN DAVID ISSER, ESQ. Law Offices of Steven D. Isser 305 Broadway, 7th Floor New York, NY 10007

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1 (Proceedings commenced at 2:56 p.m.)

2 THE CLERK: Civil cause for a status conference, case
3 no. 21-CV-4568, Hough vs. Maraj, et al.

4 Counsel, please state your name for the record,
5 beginning with the plaintiff.

6 MR. BLACKBURN: Tyrone Anthony Blackburn, T.A.
7 Blackburn Law, PLLC, Brooklyn, New York.

8 MR. ISSER: Steven Isser, Law Offices of Steven D.
9 Isser, for defendant, Kenneth Petty.

10 MR. BURSTEIN: Judd Burstein, Judd Burstein, PC for
11 -- by telephone for former defendant, Onika Maraj.

12 THE COURT: All right. Good afternoon, everyone.
13 And Mr. Burstein, hopefully, you can hear us. If at any time
14 you can't hear us, let us know. Okay?

15 MR. BURSTEIN: Thank you, Your Honor.

16 THE COURT: All right. But the focus of today's
17 conference will be mostly with the attorneys here in the
18 courtroom.

19 There are two issues I want to discuss with the
20 parties. The first one is the pending motion for default
21 judgment and motion to vacate and separately, settlement.

22 So I've reviewed the papers on the motion for
23 default and I haven't reached a final decision yet. I'm going
24 to do a report and recommendation.

25 But I wanted to let the parties know at this point

1 I'm inclined on denying the motion to default and granting the
2 motion to vacate. That's where I'm leaning at this time, all
3 right, without having finalized my decision.

4 But before I did that I wanted to at least give the
5 parties a heads up that that's the direction I'm thinking
6 about going in.

7 And I noticed, Mr. Blackburn, that after the
8 opposition was filed by Petty's counsel that you didn't
9 respond or file any kind of reply, which is fine. But if
10 there's anything you wanted to say in response to their
11 opposition, I'm happy to hear anything, or if you want to just
12 rest on your papers, that's also fine as well.

13 MR. BLACKBURN: I'll just rest on my papers.

14 THE COURT: Okay. Now given where I think I will be
15 going on those two motions, I also wanted to give you an
16 opportunity, Mr. Blackburn, to decide whether you might
17 consider withdrawing your motion or if you want the court to
18 go ahead and issue a decision or a report and recommendation.

19 I at least wanted to give you that opportunity to
20 consider and I don't need an answer right now.

21 MR. BLACKBURN: Sure.

22 THE COURT: But if that's something you would
23 consider, it's of no consequence to the court, but at least I
24 wanted to give you that opportunity to do so if you are so
25 inclined. Okay?

1 MR. BLACKBURN: Can I speak with my client after and
2 then tomorrow submit a letter?

3 THE COURT: Absolutely. That's fine.

4 MR. BLACKBURN: Okay.

5 THE COURT: All right. Now with respect to those
6 two motions, anything we want to discuss? Anything from you
7 Mr. Isser?

8 MR. ISSER: I'm sorry, Your Honor?

9 THE COURT: With respect to the pending motion,
10 given where I think I might be going with the motion, is there
11 anything you'd like to raise at this point?

12 MR. ISSER: No. Thank you, Your Honor, but no.

13 We had had an oral argument before the complaint was
14 amended. I made my arguments in my papers. I made them to the
15 court. I think we had kind of two oral arguments because
16 something came up before the real oral argument so I'm happy
17 to rest on my papers but thank you for the opportunity.

18 THE COURT: Okay. Understood.

19 Now what I want to do is go off the record and as I
20 do at most of my conferences, as all of you are aware, is
21 discuss settlement, okay. Let's go off the record for a
22 minute.

23 (Off the record from 3:00 p.m. until 3:13 p.m.)

24 THE COURT: All right. We held some off the record
25 discussions regarding this case and the status of any

1 potential settlement discussions.

2 By Friday plaintiff's are to inform the court of
3 plaintiff's view on the pending motion for default judgment.
4 And we have scheduled another status conference in person for
5 June 17th at 10:00 a.m. Okay?

6 All right. Anything else for plaintiff today?

7 MR. BLACKBURN: No.

8 THE COURT: All right. Anything else from Mr.
9 Isser?

10 MR. ISSER: Only, Your Honor, if the motion is
11 withdrawn, will it be part of this court's order that the time
12 to answer is stayed or shall I just write a letter to that
13 regard if it's withdrawn?

14 THE COURT: What is your preference?

15 MR. ISSER: I would prefer we stay it until at least
16 the status conference and then we can set up either a briefing
17 schedule or I'll accept service and we can move forward.

18 So my request would be to stay any response if it's
19 not withdrawn and then we can figure that all out at the next
20 status conference.

21 THE COURT: Okay. So we'll see what the letter says
22 on Friday and I'll enter an order accordingly. But you're
23 right. You don't need to worry about responding to the
24 amended complaint at this time.

25 MR. ISSER: Thank you, Your Honor.

1 THE COURT: Okay. Anything else for you, Mr.
2 Burstein, on the phone?

3 MR. BURSTEIN: No. No, Your Honor. Thank you.

4 THE COURT: Okay. At this time we're adjourned.
5 Thank you, everyone.

6 (Proceedings concluded at 3:14 p.m.)

7 I, CHRISTINE FIORE, Certified Electronic Court Reporter
8 and Transcriber, certify that the foregoing is a correct
9 transcript from the official electronic sound recording of the
10 proceedings in the above-entitled matter.

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13 _____ November 3, 2022

14 Christine Fiore, CERT
15 Transcriber
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